

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**KAREN LURIE,**

**Plaintiff,**

**v.**

**GLOBE LIFE AND ACCIDENT  
INSURANCE COMPANY,**

**Defendant.**

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**CASE NO. 1:06-cv-00034-MEF**

**DEFENDANTS WITNESS AND EXHIBIT LISTS**

Pursuant to Rule 26(a)(3), Defendant Globe Life and Accident Insurance Company (“Globe Life”) submits its Witness and Exhibit Lists as follows.

**WITNESS LIST**

**Witnesses Expected To Be Called:**

1. Karen Lurie (Plaintiff)
2. Barabara Hernandez (Vice President of Premium Accounting at Globe Life, Oklahoma City, Oklahoma – may be contacted through Globe Life’s counsel)
3. Sandy Whitaker (Manager, Life Claims Department at Globe Life, Oklahoma City, Oklahoma – may be contacted through Globe Life’s counsel)
4. Daniel Mendoza (Supervisor of Customer Service at Globe Life, Oklahoma City, Oklahoma – may be contacted through Globe Life’s counsel)
5. William B. Matthews, Jr. (Attorney, Matthews & Filmore, LLC, Post Office Box 1145, Ozark, Alabama 36361)

**Witnesses Who May Be Called If the Need Arises:**

1. Any witness identified by Plaintiff as a potential witness at trial.
2. Any witness needed for impeachment or rebuttal.
3. Defendant reserves the right to add additional witnesses that may be discovered by Globe Life between now and trial.

**EXHIBIT LIST**

1. Letter dated May 18, 2004, from S. J. Whitaker, Life Benefits Division of Globe Life, to William B. Matthews, Jr. enclosing a refund of Plaintiff's premium check (Bates No. Globe Life/Lurie, Karen 0001)
2. Inter-Office Memorandum dated May 14, 2004 from Wendy, Life Claims, to Mayra regarding lapse in policy (Bates No. Globe Life/Lurie, Karen 0002)
3. Printout of Policy Information with handwritten notes regarding lapse dates and receipt of premium (Bates No. Globe Life/Lurie, Karen 0003)
4. Letter dated March 2, 2004 from William B. Matthews, Jr. to L. S. Lawson enclosing statements from a doctor and Plaintiff (Bates No. Globe Life/Lurie, Karen 0004)
5. Life Claims Evaluation Form of David Lurie (Bates No. Globe Life/Lurie, Karen 0005)
6. Notes regarding death of David Lurie (Bates No. Globe Life/Lurie, Karen 0006)
7. Medical Review Form regarding David Lurie (Bates No. Globe Life/Lurie, Karen 0007)
8. Insurance Policy of David Lurie (Bates No. Globe Life/Lurie, Karen 0008-15)
9. Microfilm Reference File Display (Bates No. Globe Life/Lurie, Karen 0016-18)
10. Policy Terms of David Lurie (Bates No. Globe Life/Lurie, Karen 0019)
11. Alabama Certificate of Death of David Lurie (Bates No. Globe Life/Lurie, Karen 0020)
12. Claimant's Statement of Death (Bates No. Globe Life/Lurie, Karen 0021-22)
13. Statement of Physician of Dr. Akin O. Ayodeji (Bates No. Globe Life/Lurie, Karen 0023)
14. Statement of Physician of Dr. C. Ted Paulk (Bates No. Globe Life/Lurie, Karen 0024)
15. Copy of Envelopes addressed to Karen Lurie from Dothan Medical Associates and Family Practice Clinic of Dothan (Bates No. Globe Life/Lurie, Karen 0025)
16. Copy of Envelope addressed to Globe Life from William B. Matthews, Jr. (Bates No. Globe Life/Lurie, Karen 0026)
17. Letter dated January 26, 2004 from William B. Matthews, Jr. to Globe Life regarding the death of David Lurie (Bates No. Globe Life/Lurie, Karen 0027)
18. Report of Investigation of Death Claim regarding David Lurie (Bates No. Globe Life/Lurie, Karen 0028-36)
19. Copy of Envelope addressed to Globe Life (Bates No. Globe Life/Lurie, Karen 0019)
20. Letter dated March 24, 2004 from David Sternig, International Claims Specialists, to Inga Lorrhah, Globe Life, regarding the request for investigation regarding David Lurie (Bates No. Globe Life/Lurie, Karen 0038)
21. Globe Life Death Claim Inquiry Form (Bates No. Globe Life/Lurie, Karen 0039-40)
22. Alabama Uniform Traffic Accident Report, Fatality, involving David Lurie (Bates No. Globe Life/Lurie, Karen 0041-42)
23. Letter dated February 3, 2004 from Globe Life to Karen Lurie regarding evaluation of the

- claim involving David Lurie (Bates No. Globe Life/Lurie, Karen 0043)
24. Letter dated March 23, 2004 from Globe Life to William B. Matthews, Jr. regarding the evaluation of the claim involving David Lurie (Bates No. Globe Life/Lurie, Karen 0044)
  25. Letter dated April 26, 2004 from Globe Life to William B. Matthews, Jr. regarding receipt of medical records on David Lurie (Bates No. Globe Life/Lurie, Karen 0045)
  26. Account History for Policy No. 14J522138 (Bates No. Globe Life/Lurie, Karen 0046)
  27. Billing Transaction List (Bates No. Globe Life/Lurie, Karen 0047-55)
  28. Premium Due Notice to David Lurie dated January 16, 2004 (Bates No. LURIE0001)
  29. Copy of Check from Karen Lurie dated January 4, 200[4] to Globe Life for policy 14J522138 (Bates No. LURIE0002)
  30. Letter dated May 18, 2004 from S.J. Whitaker, Globe Life, to William B. Matthews, Jr., denying death claim of David Lurie (Bates No. LURIE0005)
  31. Copy of Check dated January 16, 2004 from Globe Life to Karen Lurie refunding premium payment (Bates No. LURIE0006)
  32. Premium Notice dated November 28, 2003 to David Lurie (Bates No. LURIE0018)
  33. Letter dated January 2, 2004 from Mark S. McAndrew, Globe Life, to David Lurie regarding non-payment of premium (Bates No. LURIE0020)
  34. Copy of Canceled Check No. 950 dated January 4, 200[4] from Karen Lurie to Globe Life on Policy No. 14J522138 (Bates No. LURIE0021-22)
  35. Premium Notice dated January 16, 2004 to David Lurie (Bates No. LURIE0024)
  36. Final Notice of Premium dated January 2, 2004 from Globe Life to David Lurie (Bates No. LURIE0036)
  37. Premium Notice dated November 28, 2003 to David Lurie (Bates No. LURIE0026)
  38. Copy of Policy of David Lurie containing Plaintiff's handwritten notes (Bates No. LURIE0034-41)
  39. Life Claims Evaluation Form of David Lurie (unredacted version of Bates No. Globe Life/Lurie, Karen 0005)
  40. Unredacted version of Globe Life/Lurie, Karen 0003
  41. Any and all depositions taken in this matter and exhibits attached thereto for rebuttal or impeachment purposes.
  46. Any document produced by the Plaintiff through discovery in this case
  47. Any document identified in Plaintiff's Witness and Exhibit List
  48. Any document needed for impeachment or rebuttal
  49. Defendant expects to introduce exhibits 1, 2, 4, 8, 9, 10, 17, 18, 20, 23, 24, 25, 26, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40 at trial and may introduce the remaining exhibits.

Defendant reserves the right to use demonstrative exhibits without admitting them into evidence. Defendant reserves the right to supplement or amend this list, to refrain from offering all or part of the above exhibits, to offer as a separate exhibit any part or any summary of the above exhibits, to offer an enlargement of the above exhibits, to use any document identified or obtained in subsequent discovery, and to use any exhibit identified by Plaintiff.

In identifying these exhibits, Defendant does not concede that some or all of them are admissible at the trial and expressly reserves the right to object to exhibits prior to trial or during the trial itself.

In accordance with the Court's scheduling order, Defendant will mark the above exhibits for identification prior to trial.

/s/Robert E. Poundstone IV  
Philip H. Butler (BUT007)  
Robert E. Poundstone IV (POU006)  
**Attorneys for Defendant Globe Life and  
Accident Insurance Company**  
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**CERTIFICATE OF SERVICE**

I hereby certify that on January 18th, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Christopher Sanspree, Esq.  
*Beasley, Allen, Crow, Methvin,*  
*Portis & Miles, P.C.*  
P. O. Box 4160  
Montgomery, AL 36103-4160  
[Chris.sanspree@beasleyallen.com](mailto:Chris.sanspree@beasleyallen.com)

and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants: **None.**

/s/Robert E. Poundstone IV  
Robert E. Poundstone IV (POU006)  
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